


ORDINANCE BY



AN ORDINANCE TO REVISE THE CITY OF ATLANTA
CODE ARTICLE "IV" SECTION 114-84 SO AS TO
REDEFINE THE MAKEUP OF THE CLASSIFIED AND
UNCLASSIFIED SERVICES OF EMPLOYMENT; AND FOR
OTHER PURPOSES.

01-0 -1722

WHEREAS, The City of Atlanta Code of Ordinances was amended in March 1998 to remove classified status from all positions that become vacant in salary grades 19 and above; and

WHEREAS, The removal from classified status of these mission essential positions will lead to adverse impact by eliminating mandatory competitive hiring processes based on merit; and

WHEREAS, To attract and retain the most qualified staff it is necessary to establish a competitive program of merit employment free from political intervention or non job related selection criteria; and

WHEREAS, To correct this movement away from Unbiased selection based on Merit Principals it is necessary to amend the code of the City of Atlanta so as to reinstate classified status to these positions;

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, that Section 114-84 of the Code of Ordinances, City of Atlanta, Georgia, be and the same are amended to provide for the following:

SECTION 1: That section 114-84, Classified and Unclassified Service, is hereby amended as indicated below:

As Reads:

- (a) The civil service system shall be divided into the classified service and unclassified service.
- (b) The unclassified service shall consist of the following:
 - (1) Officers elected by the people and persons appointed to fill vacancies in such elective offices.
 - (2) Officers and employees specifically exempted by law
 - (3) Members of boards, councils or special commissions appointed by the mayor for special purposes; members of boards, councils or commissions created by the council pursuant to section 3-401 of the charter, and employees of such boards, councils and commissions, unless the council shall provide otherwise for the employees.
 - (4) All assistants and employees in the department of law.
 - (5) Any employee in the mayor's/executive offices unless said employee holds a classified status as of March 1, 1998.
 - (6) Election Officials
 - (7) Heads of departments appointed by the mayor and confirmed by the council and heads of bureaus, offices and agencies hired by the appointing authority.
 - (8) Sworn employees in the departments of police and fire.
 - (9) Employees and staff of the municipal court.

- (10) All employees of the office of municipal clerk, the offices of councilmembers and the office of the council president.
- (c) The classified service shall include all other public officers and employees in the employment service. All appointments, employment's, removals, promotions, transfers, layoffs, reinstatements, suspensions and changes in grade or title in the classified service shall be made and permitted only as prescribed by law or under this article and not otherwise.
- (d) All positions in the classified service at pay grade 19 and above which are or become vacant on or after February 13, 1998 shall be transferred to the unclassified service.
- (e) Any position in the classified service at pay grade 19 and above which is filled by a temporary employee shall be transferred to the unclassified service.

Is amended to read:

- (a) The civil service system shall be divided into the classified service and unclassified service.
- (b) The unclassified service shall consist of the following:
 - (1) Officers elected by the people and persons appointed to fill vacancies in such elective offices.
 - (2) Officers and employees specifically exempted by law
 - (3) Members of boards, councils or special commissions appointed by the mayor for special purposes; members of boards, councils or commissions created by the council pursuant to section 3-401 of the charter; and employees of such boards, councils and commissions, unless the council shall provide otherwise for the employees.
 - (4) All assistants and employees in the department of law.
 - (5) Any employee in the mayor's/executive offices unless said employee holds a classified status as of March 1, 1998.
 - (6) Election Officials
 - (7) Heads of departments appointed by the mayor and confirmed by the council and heads of bureaus, offices and agencies hired by the appointing authority.
 - (8) Sworn employees in the departments of police and fire.
 - (9) Employees and staff of the municipal court.
 - (10) All employees of the office of municipal clerk, the offices of councilmembers and the office of the council president.
- (c) The classified service shall include all other public officers and employees in the employment service. All appointments, employment's, removals, promotions, transfers, layoffs, reinstatements, suspensions and changes in grade or title in the classified service shall be made and permitted only as prescribed by law or under this article and not otherwise.

SECTION 2: That any classified employee occupying a position moved to the unclassified service by ordinance 98-0-0555 who now occupies a classified position as redefined by this ordinance will retain or regain the status as a classified employee and have all rights and protections afforded to such employees by City Code.

SECTION 3: That any classified employee occupying a position reclassified to the unclassified service by ordinance 01-0-0212 who now occupies a classified position as redefined by this ordinance will retain or regain the status as a classified employee and have all rights and protections afforded to such employees by City Code.

SECTION 4: That any unclassified employee who was hired or occupies an unclassified position without qualifying through the classified selection process will not gain classified status when the position they occupy is transferred to the classified service by this ordinance. Such employees will be required to apply for retention through the competitive selection process and may be retained in their positions only if they qualify for said positions.

SECTION 5: That all ordinances and parts of ordinances in conflict herewith be and the same are hereby waived.